

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Anthony J. Costanzo  
Kimberly A. Katchen-Costanzo  
  
Debtors

Chapter 13

Bankruptcy No. 24-11448-AMC

TRUSTEE'S MOTION TO DISMISS WITH A BAR ORDER  
PURSUANT TO 11 U.S.C. SECTIONS 105 AND 1307

To the Honorable Judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania:

1. Your Movant is Scott F. Waterman, Esq. the duly qualified and acting Chapter 13 Trustee in the above-captioned case.
2. The within case was commenced by the filing of a Chapter 13 petition on 04/30/2024.
3. This Motion to Dismiss has been filed for the following reason(s):
  - The Plan does not appear to be feasible.
4. The debtor has filed two prior bankruptcy cases, either individually, or jointly with a spouse, as follows:
  - (1) 19-14882-AMC, Chapter 13, filed by Anthony J. Costanzo and Kimberly A. Katchen-Costanzo aka Kimberly A. Katchen on August 2, 2019. The case was dismissed on the Trustee's Motion to Dismiss on February 5, 2020 due to the failure of the debtors to make plan payments and feasibility.
  - (2) 20-13982-AMC, Chapter 13, filed by Anthony J. Costanzo and Kimberly A. Katchen-Costanzo aka Kimberly A. Katchen on October 5, 2020. The case was dismissed on the Trustee's Motion to Dismiss on March 14, 2024 due to the failure of the debtors to make plan payments.

WHEREFORE, Scott F. Waterman, Esq., Standing Chapter 13 Trustee, respectfully requests that, pursuant to 11 U.S.C. Sections 105 and 1307, the Court enter an Order dismissing this case and barring the debtor from filing another bankruptcy petition, either individually or jointly with a spouse, without prior leave of Court FOR A PERIOD OF TWO YEARS.

Date: 07/24/2024

Respectfully submitted,

/s/ Ann Swartz, Esq.

Ann Swartz, Esq.

for

Scott F. Waterman, Esq.

Standing Chapter 13 Trustee

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